

NEW HAMPSHIRE REAL ESTATE COMMISSION

COMMISSION MEETING

DECEMBER 17, 2002

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, December 17, 2002 at 9:00 a.m. in Room 425, State House Annex, 25 Capitol Street, Concord, New Hampshire 03301.

Meeting called to order at 9:00 a.m. by Chairman ARTHUR SLATTERY.

Present: Commissioners ARTHUR SLATTERY, MARTIN SMITH, BARBARA HEATH, PAULINE IKAWA, NANCY LeRoy, Executive Director BETH EMMONS, and Investigator ANN FLANAGAN.

- I. Motion by Commissioner LeRoy, seconded by Commissioner IKAWA, to approve and accept the minutes of the Commission meeting held on November 19, 2002.

II. **APPOINTMENTS**

9:00 a.m. - Equivalency Interviews

<u>CANDIDATE</u>	<u>COMMISSIONER</u>	<u>DETERMINATION</u>
ALEX AARON	IKAWA	APPROVED
DONNA L. DUPUIS	LeRoy	APPROVED
TIM WEGG	SLATTERY	DENIED

9:15 a.m. – PHIL BUCKLAND appeared before the Commission to provide additional documentation requested by the Commission at its November 19, 2002 meeting regarding his “yes” answer to question #7 on his original salesperson’s application. After review and discussion, and on a motion by Commissioner LeRoy, seconded by Commissioner HEATH, the Commission, present and voting, approved Mr. Buckland’s salesperson’s application. Commissioner IKAWA was opposed to the decision.

9:30 A.M. – MICHELLE MOORE – appeared before the Commission to request an exception to RSA 331-A:18 – license lapsed over 6 month period from expiration date. After an explanation, review and discussion, and on motion by Commission LeRoy, seconded by Commissioner HEATH, the Commission unanimously approved the reinstatement of Ms. Moore’s broker’s license upon receipt of the required documentation and fees.

9:45 a.m. – CORY BROCK appeared before the Commission to explain a previous legal incident prior to applying for a salesperson’s license. After an explanation, review and discussion, and on motion by Commissioner LeRoy, seconded by Commissioner HEATH, the Commission unanimously granted approval for Mr. Brock to apply for his original salesperson’s license, upon

receipt of a recommendation by his former probation officer.

III. **DISCUSSION**

THEODORE KAMASINSKI on behalf of the Complainant, submitted a Motion for Rehearing of FILE NO. 2001-08-01 JUDITH THAYER VS MARSHA ROGERS, ROBERT PHILLIPS, ROSE MARIE PHILLIPS, ROBERT SCARPONI, AND LINDA WHEELER. On motion by Commissioner LeRoy, seconded by Commissioner Heath, the Commission present and voting, issued a decision to deny the motion for rehearing based on the fact that no new evidence was submitted to change their decision. Recused members, Commissioner Slattery and Commissioner Ikawa, did not take part in the discussions and decision. An Order of Denial shall be issued and the parties to Complaint File No. 2001-08-01 shall be notified.

After review and discussion, and on a motion by Commission LeRoy, seconded by Commissioner Ikawa, the Commission prepared recommendations and required changes for MARIE PACETTA of the Pace Group, on a Marketing Consulting Agreement submitted to the Commission for review, to ensure that her marketing agreements do not include the sale of real estate and that she is not engaging in any brokerage activity as defined in RSA 331-A:2, III. Ms. Pacetta to be notified.

IV. **OTHER BUSINESS**

1. Tuesday, January 21, 2003, was unanimously approved as the date for the next regular meeting.

2. CASE EVALUATIONS

(a) **FILE NO. 2002-05-01**

Evaluator: Commissioner SLATTERY

Determination: No violation, should not be heard.

(b) **FILE NO. 2002-08-03**

Evaluator: Commissioner LeRoy

Determination: No violation, should not be heard.

(c) **FILE NO. 2002-08-04**

Evaluator: Commissioner LeRoy

Determination: No violation, should not be heard.

(d) **FILE NO. 2002-08-05**

Evaluator: Commissioner IKAWA

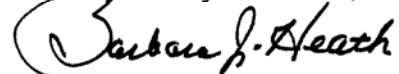
Determination: No violation, should not be heard

The above determinations were unanimously approved.

VIII. **ADJOURNMENT**

Motion by Commissioner IKAWA, seconded by Commissioner LeRoy to adjourn the meeting. Chairman SLATTERY adjourned the meeting at 11:35 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara J. Heath", is written over the printed name.

BARBARA J. HEATH
Clerk